

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

NORMA ROGERS, ET AL.,)
)
Plaintiffs,)
)
v.) No. 6:19-cv-3346 RK
)
DOUGLAS GASTON, ET AL.,)
)
Defendants.)

**Consent Motion to Drop Jennifer Tomaszewski as Defendant
for Count IV of Third Amended Complaint**

Pursuant to Federal Rule of Civil Procedure 21, Plaintiffs request this Court enter an order dropping Jennifer Tomaszewski as a defendant with respect to Count IV of the third amended complaint. In support, they state:

1. On May 4, 2021, Plaintiffs filed their third amended complaint. ECF No. 154.
2. The third amended complaint names Tomaszewski as a defendant for Counts I-V of the six-count pleading. *Id.*
3. Tomaszewski has not filed an answer.
4. “On motion or on its own, the court may at any time, on just terms, add or drop a party.” Fed. R. Civ. P. 21.
5. Plaintiffs ask this Court to drop Tomaszewski as a defendant for Count IV and dismiss her from this case with respect to Count IV only, such that Tomaszewski will remain a defendant as to Counts I, II, III, and V.
6. Tomaszewski’s counsel has advised that Plaintiffs may indicate her consent to this request.

WHEREFORE Plaintiffs request this Court enter an order dropping Jennifer Tomaszewski as a defendant with respect to Count IV only of the third amended complaint.

Respectfully submitted,

/s/ Anthony E. Rothert
Anthony E. Rothert, #44827
Jessie Steffan, #64861
Kayla DeLoach, #72424
Molly Carney, #70570
ACLU of Missouri Foundation
906 Olive Street, Suite 1130
St. Louis, Missouri 63101
rotherth@aclu-mo.org
jsteffan@aclu-mo.org
kdeloach@aclu-mo.org
mcarney@aclu-mo.org
Tel. (314) 652-3114
Fax: (314) 652-3112

Gillian R. Wilcox, # 61278
ACLU of Missouri Foundation
406 W. 34th Street, Suite 420
Kansas City, Missouri 64111
gwilcox@aclu-mo.org
Tel. (816) 470-9938
Fax: (314) 652-3112

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of this motion was served on opposing counsel by the electronic filing system on June 24, 2021.

/s/ Antony E. Rothert